

**Enforcement & Resource Protection Committee
Regular Meeting
October 15, 2008 – 4:00 pm
Tribal Office Board Room**

1. Call to Order & Roll Call-

Committee Chairman Ken Fish called the meeting to order at 4:00 p.m. Those present: Ken Fish, Lisa Waukau (late), Walter Cox, Mark Waukau, Toni Caldwell, Robert Summers, Lynnette Miller, Jonathan Pyatskowit and Gregory Askenette. Barb Nelson was absent. Also present: Lindzey Grall, Diana Taubel and Warren Warrington.

2. Moment of Silence – A moment of silence was observed.

3. Approval of Minutes Dated August 20, 2008-

Motion made by Lynnette Miller to approve the minutes dated August 20, 2008. Motion was seconded by Gregory Askenette. All those in favor of the motion signify by saying aye, 6-for, 0-opposed, 2-absent, 1-abstention (Walter Cox).

4. Prisoner Transport Policy-

Committee briefly discussed the policy and made a few minor typing changes. Mark informed the committee that this issue has been on the agenda for quite some time and he would like to get the policy approved.

Motion made by Gregory Askenette to approve the Menominee Tribal Police Departments Prisoner Transport Policy. Motion was seconded by Lynnette Miller. All those in favor of the motion signify by saying aye, 6-for, 0-opposed, 2-absent, 1-abstention (Mark Waukau). Motion carried.

5. OWI Enforcement Policy-

Committee reviewed the policy and made some changes to the policy. The biggest issue brought forth from Chairman Fish is that when a person gets picked up off the reservation their penalties correspond with the number of offenses they incurred. When police run a check on the perpetrator the number of offenses automatically come up. Why can't the tribe do that? Mark Waukau stated that with the new program they are hoping to some day do that but right now it's not being done.

Lisa Waukau arrived at 4:30 pm.

Motion made by Lynnette Miller to approve the Menominee Tribal Police Departments OWI Enforcement Policy. Motion was seconded by Gregory Askenette. All those in favor of the motion signify by saying aye, 7-for, 0-opposed, 1-absent, 1-abstention (Mark Waukau).

6. Tow Guidelines Policy-

Committee made recommendations to the Policy and before the committee approves the Policy they would like to see the changes to the document before it goes to the Menominee Tribal Legislature for approval.

Motion made by Walter Cox to table the Menominee Tribal Police Departments Tow Guidelines Policy. Motion was seconded by Jonathan Pyatskowitz. All those in favor of the motion signify by saying aye, 8-for, 0-opposed, 1-absent. Motion carried.

7. Cops and Bobbers Program-

Mark Waukau stated that this is a program the Menominee Tribal Police Department has been trying to get moving for months but there is a liability issue. Mark stated that he sent the issue to the Tribal Attorney's Department but still hasn't received a response.

Committee discussed the issue and Lindzey Grall stated that she would develop a liability waiver that either the kids participating or their parents can sign releasing all liability of the Police Department.

Chairman Fish thinks this is a positive program for the kids and the full Menominee Tribal Legislature should see the flyer. A copy of the flyer will be placed in all of the Legislator's mailboxes.

**8. Amendment to Sexual Abuse of a Child-Ordinance 99-19
Discussion/Recommendations-**

Committee went into a lengthy discussion regarding the ordinance. Committee also discussed Ordinance 99-20 Sexual Assault. There was long discussion regarding the penalties. Gregory Askenette would like to see some wording added to the ordinance about counseling for the victim and the perpetrator. Committee members feel that the victim shouldn't be mandated to do anything.

Another issue for the ordinances is to include banishment. Banishment is a pretty touchy issue. In the past the Legislature has banished non-tribal members but never a tribal member. Committee members feel that banishment needs to be defined so everyone knows exactly what is meant.

Chairman Fish stated that something needs to be developed regarding age. Chairman Fish told the committee that there should be a certain age because guys that are 18 and 19 years old are being punished for having a relationship with girls that are 15, 16 and 17 years old and it isn't right. The young men are being charged with the crime and if convicted could face a lifetime of being on the sexual offenders list which makes it very tough to get certain jobs.

Motion made by Lynnette Miller to table Ordinances 99-19-Sexual Abuse of a Child and Ordinance 99-20 Sexual Assault until the Legal Department can work on adding and changing the wording in the documents and come back to the committee with a draft. Motion was seconded by Gregory Askenette. All those in favor of the motion signify by saying aye, 8-for, 0-opposed, 1-absent. Motion carried.

9. Amendment to Sexual Abuse Ordinance 99-20-Discussion and recommendations-

This issue was discussed in the previous agenda item. Committee recommended that the ordinance should go to the Legal Department.

10. Monthly Narratives-

Committee reviewed the monthly reports and there were not any questions on them from the committee. No action taken.

11. Other Business-

Committee members stated that at a previous meeting the committee discussed Evasive Species. Chairman Fish stated that the Menominee Tribal Legislature wants plan and follow up on the issue.

Mark Waukau stated that he needs to get moving on his Special Law Enforcement Commission Certification. The issue can't wait until the next meeting. Mark asked if the issue can just go to the Menominee Tribal Legislature. Lisa Waukau stated that it should go through committee first and if a special meeting needs to be held that would be okay.

Committee decided to meet on Monday October 27, 2008 to discuss the Law Enforcement Commission Certification.

12. Adjournment-

Motion made by Lynnette Miller to adjourn. Motion was seconded by Gregory Askenette. All those in favor of the motion signify by saying aye, 8-for, 0-opposed, 1-absent. Motion carried.

Meeting adjourned at 5:50 p.m.

Respectfully Submitted by
Gigi Delabrue, Chairman's Office